

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI**

ALEXANDER RAIMO, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

WASHINGTON UNIVERSITY IN ST.  
LOUIS,

Defendant.

No. 4:20-cv-00634-SEP

**PLAINTIFF'S FOURTH NOTICE OF SUPPLEMENTAL AUTHORITY**

Plaintiff, Alexander Raimo, by and through his attorneys, and as his Fourth Notice of Supplemental Authority, hereby states the following:

In Plaintiff's Opposition to Motion to Dismiss, Plaintiff noted that "four separate analyzing nearly identical claims against educational institutions in the wake of COVID-19 have each denied motions to dismiss claims for unjust enrichment and breach of contract to provide live, in-person instruction and access to campus facilities." ECF No. 29 at 1–2 (collecting four cases denying motions to dismiss). And in responding to Defendant's Motion to Stay and Bifurcate Discovery, Plaintiff cited additional cases in support of his statement that such cases undermine Defendant's case for a stay of discovery. *See* ECF No. 34 at 3 (collecting original four cases as well as additional cases denying motions to dismiss). Further, in responding to Defendant's Notice of Supplemental Authority (ECF No. 39), Plaintiff identified two additional cases supporting denial of the motion to dismiss (ECF No. 40). Moreover, Plaintiff filed a third notice of supplemental authority on January 14, 2021 (ECF No. 43) identifying seven more cases supporting denial of the motion to dismiss.

Since the submission of these documents, Plaintiff has identified three additional recent, persuasive decisions, including the first case known to Plaintiff's counsel in Missouri. First, on January 28, 2021, the court denied defendant's motion to dismiss in the case *Student A, et al. v. The Curators of The University of Missouri*, though it did not enter a memorandum opinion of the denial. As a result, Plaintiff submits the operative complaint at the time of the motion to dismiss as Exhibit 1 and the highlighted docket reflecting the court's January 28, 2021 denial of the motion to dismiss as Exhibit 2.

In addition to the *University of Missouri* case, additional recent decisions include the following, which Plaintiff submits as additional support for an order denying Defendant's motion to dismiss:

1. *Moran v. Stonehill College, Inc.*, Case No. 2077CV00431 (Mass. Super. Ct. Feb. 16, 2021) (Exhibit 3); and
2. *In re: University of Miami COVID-19 Tuition and Fee Refund Litigation*, Case No. 20-60851 (S.D. Fla. Mar. 5, 2021) (Exhibit 4).

Dated: March 5, 2021

Respectfully submitted,

By: /s/ Daniel J. Kurowski

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